

**SUPREME COURT MINUTES
TUESDAY, NOVEMBER 25, 1997
SAN FRANCISCO, CALIFORNIA**

S064321 Bailey A. Jones, Appellant
1st Dist. v.
A074395 City of Berkeley Rent Stabilization Board, Respondent
Div. 3 D. Smith et al., Real Parties in Interest

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Santa Monica Beach Limited v. Superior Court*, S052824 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S064388 People, Respondent
2nd Dist. v.
B102750 Luis Castellanos, Appellant
Div. 3 Respondent's petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S064469 People, Respondent
2nd Dist v.
B100991 Kendall Wood et al., Appellants
Div. 3 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Birks*, S057191 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S064558 People, Respondent
4th Dist. v.
D025750 Denise M. Martinez, Appellant
Div. 1 Petition for review GRANTED.

George, C.J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S064585 People, Appellant
2nd Dist. v.
B104948 Dennis Phillip Quinn, Respondent
Div. 3 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Williams*, S057534 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

4th Dist. City of Seal Beach, Petitioner
G022083 v.
Div. 3 Workers' Compensation Appeals Board et al., Respondents
S064840 Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its summary denial and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S051686 People, Respondent

1st Dist. v.

A064778 John Malone, Appellant

Div. 3

The above-entitled review is hereby transferred to the Court of Appeal, First Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of *People v. Monge* (1997) 16 Cal.4th 826.

Chin, J., did not participate.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Brown, J.

S056911 People, Respondent

4th Dist. v.

G016974 Randy Robert Branson, Appellant

Div. 3

The above-entitled review is hereby transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of *People v. Monge* (1997) 16 Cal.4th 826.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S057405 People, Respondent

4th Dist. v.

D024765 Alex R. Holiday, Appellant

Div. 1 The above-entitled review is hereby transferred to the Court of Appeal, Fourth, Division One, with directions to vacate its decision and to reconsider the cause in light of of *People v. Monge* (1997) 16 Cal.4th 826.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S058982 People, Respondent

4th Dist. v.

D024939 Samuel Albert Hernandez, Appellant

Div. 1 The above-entitled review is hereby transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Monge* (1997) 16 Cal.4th 826.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S060507 People, Respondent

4th Dist. v.

D025705 Earl Craig Houck, Appellant

Div. 1 The above-entitled review is hereby transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Monge* (1997) 16 Cal.4th 826.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S060707 People, Respondent

2nd Dist. v.

B097874 Joe Richard Valencia, Appellant

Div. 2 The above-entitled review is hereby transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Monge* (1997) 16 Cal.4th 826.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S061326 People, Respondent

4th Dist. v.

D025704 Earl Craig Houck, Appellant

Div. 1

The above-entitled review is hereby transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Monge* (1997) 16 Cal.4th 826.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S061432 People, Respondent

2nd Dist. v.

B099515 Freddie Montoya, Appellant

Div. 4

The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Monge* (1997) 16 Cal.4th 826.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S061521 Planning & Conservation League et al., Respondents

1st Dist. v.

A074048 Department of Fish and Game et al., Appellants

Div. 2 Appellants' "Motion to Dismiss on Grounds of Mootness" is granted in part and denied in part.

To the extent that the motion seeks dismissal of review, it is granted.

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, First Appellate District, Division Two.

In all other respects, the motion is denied.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S061917 People, Respondent

1st Dist. v.

A072755 Robert Hugh Cole, Appellant

Div. 3 Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, First Appellate District, Division Three.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S047306 People, Respondent

v.

David Hernandez, Appellant

Review was granted in this matter on August 17, 1995 and further action ordered deferred on November 14, 1996 pending disposition of the appeal in *People v. Monge* (1997) 16 Cal.4th 826 (*Monge*), which became final on October 1, 1997.

The parties are hereby directed to file supplemental briefs addressing whether the court should extend its holding in *Monge* to a case in which the primary issue at the sentencing trial relates to one of the present offenses rather than to a prior offense. The briefs are to be served and filed on or before December 26, 1997.

S052824 Santa Monica Beach Limited, Petitioner

2nd Dist. v.

B097056 Los Angeles County Superior Court, Respondent

Div. 1 Santa Monica Rent Control Board, Real Party in Interest

Review was granted in this case on May 29, 1996, and briefing ordered deferred pending disposition of the appeal in *Kavanau v. Santa Monica Rent Control Board*, which was filed on August 26, 1997, and became final on September 26, 1997 (16 Cal.4th 761.)

Real Party in Interest in the above-entitled case is hereby directed to serve and file a Brief on the Merits on or before December 26, 1997. Additional briefing is to be served and filed in a timely fashion. (See rule 29.3(a), Cal. Rules of Court.)

S059170 In re the Marriage of Walrath

Gilbert A. Walrath, Appellant

v.

Gladys J. Walrath, Respondent

Pursuant to California Rules of Court, rule 29.2, subdivision (b), the Court hereby limits the issues to be argued in this case to the first two issues raised in the petition for review.

S057693 Jerome Berg, Petitioner

v.

State Bar of California, Respondent

Petition for writ of review DENIED.

S060758 In re Laverne Johnson
 on
 Habeas Corpus

The petition for writ of habeas corpus is denied.

Except to the extent they rely on arguments of appellate counsel's incompetence, claims A, B, C, E (to the extent it relies on asserted ineffective trial counsel), G, H, I, J, K, and L and each of their various subparts, are barred as untimely. They are substantially delayed because they are based on information that was long known, or should have been known, to petitioner and his counsel. No good cause has been offered to justify or explain the delay, and the claims come within none of the four exceptions to the bar of untimeliness. (*In re Clark* (1993) 5 Cal.4th 750, 767-787 [delay rules], 797-798 [exceptions to the untimeliness bar].)

Claims D, E (except to the extent it relies on asserted ineffective trial counsel), M, and N are denied on the ground that they were raised and rejected on appeal and come within none of the exceptions that would permit their reconsideration. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Harris* (1993) 5 Cal.4th 813, 829-841.)

Except to the extent petitioner claims trial and appellate counsel were ineffective (see *People v. Pope* (1979) 23 Cal.3d 412, 426), claims B, I, J, K, and L, and their subparts, are denied on the ground that they could have been, but were not, raised on appeal, and they come within none of the four exceptions that would permit their consideration on habeas corpus. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Harris, supra*, 5 Cal.4th at p. 825, fn. 3, & pp. 829-841.)

All claims of cumulative error are subject to the same procedural bars that apply to the individual claims.

All claims and their subparts, except claim L, are also denied on the merits. (See *Harris v. Reed* (1989) 489 U.S. 255, 264, fn. 10.)

Mosk, J., is of the opinion an order to show cause should issue.

S065487 In re James Phillip Anderson
 on
 Habeas Corpus

The petition for habeas corpus, seeking an order transporting petitioner for medical tests, is denied without prejudice to a future request to help petitioner prove prejudice at an evidentiary hearing in the event that (a) petitioner first makes a prima facie showing, in a

habeas corpus petition attacking the guilt and/or penalty judgments entered against him, that the investigations of trial counsel were deficient, or some other basis for relief, and (b) this court issues an order to show cause thereon. The request for an order extending the time within which such a petition for habeas corpus will be presumed to have been filed without substantial delay (see Supreme Court Policies Regarding Cases Arising From Judgments of Death, std. 1-1.1) is therefore moot, and in any event the filing is ordered vacated on grounds that the request is noncognizable.

Orders were filed in the following matters denying petition for writ of habeas corpus:

- S060763 - In re Ruben T. Hernandez on Habeas Corpus.
- S060899 - In re Charles Jones on Habeas Corpus.
- S060931 - In re Darrin L. Dent on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S061074 - In re Norberto Beltran on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S061177 - In re David C. on Habeas Corpus.
Mosk, J., is of the opinion an order to show cause should issue.
- S061434 - In re Daniel Steve Dixon on Habeas Corpus.
- S061458 - In re Tommy J. Holmes on Habeas Corpus.
- S061495 - In re Gina Sargent on Habeas Corpus.
- S061509 - In re Andrew Fransone on Habeas Corpus.
- S061629 - In re Rufino Hernandez Valle on Habeas Corpus.
- S061794 - In re Waymond D. Hall on Habeas Corpus.

- S061823 - In re John Norris Hanks on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S061890 - In re David S. Walker on Habeas Corpus.
- S062031 - In re Timothy J. Mack on Habeas Corpus.
- S062036 - In re Orestes Alfonso on Habeas Corpus.
- S063039 - In re Jason M. Parker on Habeas Corpus.
- S062051 - In re Scott Robert Fuhrman on Habeas Corpus.
- S062058 - In re Willard Bolden on Habeas Corpus.
- S062076 - In re David L. Quill on Habeas Corpus.
Brown, J., did not participate.
- S062079 - In re Johnny Ray Robertson on Habeas Corpus.
- S062081 - In re Harvey Darnell Laws on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Clark* (1993) 5 Cal.4th 750.)
- S062088 - In re Tyrone Randall on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S062113 - In re Lonnie Dale Robinson on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S062118 - In re Frank M. Cannon on Habeas Corpus.
- S062161 - In re Jose Manuel Rayes on Habeas Corpus.
- S062166 - In re Stanley Ezell Singleton on Habeas Corpus.

- S062171 - In re Roderick Witherspoon on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S062181 - In re Martin Landa Bueno on Habeas Corpus.
- S062204 - In re Javier Perez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S062240 - In re Darnell K. Jones on Habeas Corpus.
- S062250 - In re Kim Island on Habeas Corpus.
- S062251 - In re Christopher L. Nash on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S062292 - In re John Corbin on Habeas Corpus.
- S062298 - In re Shawn Leroy Paul on Habeas Corpus.
- S062388 - In re Robert Howard Richardson on Habeas Corpus.
- S062457 - In re D.L. Taylor on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S062512 - In re Anna J. Humiston on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S062526 - In re Terry Don Little on Habeas Corpus.
- S062540 - In re Timothy D. Johnson on Habeas Corpus.
Brown, J., did not participate.
- S062552 - In re Dwayne Wade Osborne on Habeas Corpus.
- S062561 - In re Kevin Green on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S062574 - In re Calvin Lawrence on Habeas Corpus.

- S062578 - In re Manuel Madrigal on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S062650 - In re Alvaro Molina Garces on Habeas Corpus.
- S062654 - In re Charles A. Waddey on Habeas Corpus.
- S062662 - In re Jefferson D. Walker on Habeas Corpus.
- S062669 - In re George A. DeUrioste on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S062680 - In re Eugene Rayford on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Swain* (1949) 34 Cal.2d 300, 304.)
Brown, J., did not participate.
- S062745 - In re Dawn Ayres on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S062754 - In re Don La Flamme on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735.)
- S062756 - In re Glenn E. Merrifield on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S062777 - In re Levi Andrew Lane on Habeas Corpus.
- S062806 - In re Joshua Shabazz on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S062829 - In re O'Lyric Robinson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S062886 - In re Michael Mitchell on Habeas Corpus.
- S062893 - In re Glenn E. Merrifield on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S062932 - In re Trent L. Alexander on Habeas Corpus.
- S062949 - In re Thomas A. Gionis on Habeas Corpus. Request to seal petition for writ of habeas corpus granted. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S062965 - In re Shannon Scott Fatta on Habeas Corpus.
- S063061 - In re Noe Villarreal on Habeas Corpus.
- S063088 - In re Jesus Navor Garcia on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S063102 - In re Darrell W. Burkett on Habeas Corpus.
- S063129 - In re Billy Wayne Blair, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063138 - In re Kirkton P. Moore on Habeas Corpus.
- S063145 - In re Gaylord Richard Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063161 - In re James Darryl on Habeas Corpus.
- S063173 - In re Francisco Ploneda on Habeas Corpus.
- S063174 - In re Myron Kent Upchurch on Habeas Corpus.
- S063180 - In re Randy Gene Clark on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S063181 - In re Nathaniel D. Wallace on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)

- S063209 - In re Xavier Rogers on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S063214 - In re Rodney Roach on Habeas Corpus.
- S063218 - In re Daniel Valdez on Habeas Corpus.
- S063240 - In re F.D. Bennett on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S063254 - In re Arthur Van Swait on Habeas Corpus.
- S063268 - In re Raymond Lambirth on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S063307 - In re Daniel Lopez, Sr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S063317 - In re Byron Serrano on Habeas Corpus.
- S063346 - In re Christopher Villarreal on Habeas Corpus.
- S063377 - In re Michael Eugene Thomas on Habeas Corpus.
- S063384 - In re David E. Beard on Habeas Corpus.
- S063385 - In re David A. Jackson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

- S063463 - In re Ming Ching Jin on Habeas Corpus.
- S063466 - In re Anthony G. Trotter on Habeas Corpus.
- S063477 - In re Robert A. Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S063482 - In re Ronald Sneed on Habeas Corpus.
- S063485 - In re Glenn Lovely on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063486 - In re Walter Wilkerson on Habeas Corpus.
- S063487 - In re Charles Bruton on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063492 - In re James B. Eakins on Habeas Corpus.
- S063505 - In re Broderick Refon Fields on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S063507 - In re Thomas Gomez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063536 - In re Elvy L. Harris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S063542 - In re Derreck Sunderland on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S063544 - In re Charles Edward Burke on Habeas Corpus.
- S063546 - In re Lesester McDaughtery on Habeas Corpus.
- S063551 - In re Marvin Nance on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

- S063552 - In re Eric Loudon on Habeas Corpus.
- S063575 - In re Howard Wade on Habeas Corpus.
- S063579 - In re Julian Swig on Habeas Corpus.
- S063581 - In re Hassan Tariq Karim on Habeas Corpus.
- S063589 - In re Jack Cabada on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063591 - In re Jerry L. Mitchell on Habeas Corpus.
- S063592 - In re Barry S. Jameson on Habeas Corpus.
- S063597 - In re Demetrius Townsell on Habeas Corpus.
- S063599 - In re Askia Ashanti on Habeas Corpus. Petition for writ of habeas corpus is DENIED for lack of diligence.
- S063601 - In re Daniel Jerome Austin on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S063602 - In re Robert Escobedo on Habeas Corpus.
- S063617 - In re Ferdinan Reynolds on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S063619 - In re Richard C. Davis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
Mosk, J., is of the opinion an order to show cause should issue.
- S063620 - In re Richard Soto Rodriguez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063626 - In re Johnny L. Hodge on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S063630 - In re Michael David Harrison on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750.)
- S063634 - In re Anthony Leo Phillips on Habeas Corpus.
- S063637 - In re Kipp Aron Woods on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063659 - In re Christopher Raines on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S063660 - In re Alex Keith Sowell on Habeas Corpus.
- S063663 - In re Gary Gene Bleigh on Habeas Corpus.
- S063667 - In re Gary G. Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063709 - In re Joshua Shabazz on Habeas Corpus.
- S063720 - In re Terrence Lenon Ellis on Habeas Corpus.
- S063727 - In re Russell E. Newman on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S063745 - In re Jerome Merritt on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S063746 - In re Eddie N. Randolph on Habeas Corpus.
- S063752 - In re Stephen J. Isoczky, Jr. on Habeas Corpus.
- S063777 - In re Ronald M. Perry on Habeas Corpus.
- S063838 - In re Christopher J. Gebhardt on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S063839 - In re Mario Schebesta on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S063841 - In re Colvin McCright on Habeas Corpus.
- S063842 - In re Timothy Lee Kornegay on Habeas Corpus.
- S063848 - In re Eugene Adrian Patouillet on Habeas Corpus.
- S063849 - In re Kenneth Grant Stauffer on Habeas Corpus.
- S063850 - In re Joel Lee Wallach on Habeas Corpus.
- S063874 - In re John Ayers on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S063886 - In re Morris Foster on Habeas Corpus.
- S063887 - In re Luther G. Jamison on Habeas Corpus.
- S063890 - In re Salvador Fuentes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S063899 - In re Leroy Freeman on Habeas Corpus.
- S063905 - In re Eddie Lee Galloway on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Miller* (1941) 17 Cal.2d 734, 735; *In re Clark* (1993) 5 Cal.4th 750.)
- S063911 - In re John Earl Jones on Habeas Corpus.
- S063914 - In re Chester Ray Wiseman Pine on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S063915 - In re Chester Ray Wiseman Pine on Habeas Corpus.
- S063916 - In re David E. Beard on Habeas Corpus.

- S063918 - In re Larry Hazelaar on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063947 - In re Johnny De La Cruz on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S063956 - In re Shauntray Redd on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S063959 - In re Chaves V. Rogge on Habeas Corpus.
- S064018 - In re Anthony D. Bland on Habeas Corpus.
- S064032 - In re Gerald Lewis McCoy on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S064394 - In re Askia Ashanti on Habeas Corpus.
- S064464 - In re Billy Wayne Blair, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S064617 - In re Prea Jhana and Tamika A. on Habeas Corpus.
- S064633 - In re Kenneth Raymond Calihan on Habeas Corpus.
- S064680 - In re Alan Bernard on Habeas Corpus.
- S064774 - In re Alice A. Ferry on Habeas Corpus.
- S065054 - In re Johnny Hodge on Habeas Corpus.
- S065248 - In re Leonard Paul Rubio on Habeas Corpus. Petition for writ of habeas corpus DENIED for failure to allege sufficient facts and for failure to adequately explain the delay. (*See In re Swain* (1949) 34 Cal.2d 300, 304.)
- S065274 - In re Sudi Pebbles Trippet on Habeas Corpus.

S065786 People, Petitioner
 v.
 Stephen Snow, Respondent
 Motion to transfer DENIED.

1st Dist. People, Respondent
A071848 v.
Div. 5 Daniel Dewayne Rusk, Appellant
S064613 Appellant's petition for review DENIED.

1st Dist. Neil Fitzpatrick et al., Appellants
A073106 v.
Div. 2 Ted Hayes et al., Respondents
S065243 Petition for review DENIED.

1st Dist. People, Respondent
A073231 v.
Div. 3 Stanley W. Woodard, Appellant
S064486 Appellant's petition for review DENIED.
 Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A073484 v.
Div. 2 Sudi Pebbles Trippet, Appellant
S064580 Appellant's petition for review DENIED.
 The request for an order directing depublication of the opinion is
 DENIED.

1st Dist. People, Respondent
A073877 v.
Div. 2 Rufus Williams, Appellant
S065199 Appellant's petition for review DENIED.

1st Dist. A074397 Div. 3 S064631	People, Respondent v. Kenneth Raymond Calihan, Appellant Appellant's petition for review DENIED.
1st Dist. A074645 Div. 2 S064517	People, Respondent v. Johnel Marquis Bailey, Appellant Appellant's petition for review DENIED.
1st Dist. A076162 Div. 4 S065211	People, Appellant v. Forrest Floyd Fuller, Respondent Respondent's petition for review DENIED.
1st Dist. A079174 Div. 4 S065299	In re Winston Kemper v. Habeas Corpus Petition for review DENIED.
1st Dist. A079776 Div. 4 S065298	In re Winston Kemper on Habeas Corpus Petition for review DENIED.
1st Dist. A080092 Div. 2 S065785 ,	Ralph A. Taylor, Petitioner v. Alameda County Superior Court, Respondent People, Real Party in Interest Application for stay and petition for review DENIED.
1st Dist. A080136 Div. 1 S065289	In re Donald R. Randolph on Habeas Corpus Petition for review DENIED.
2nd Dist. B087729 Div. 7 S064725	Adam Kidron et al., Respondents v. Jeffrey Franklin et al., Appellants Respondents' petition for review DENIED.

2nd Dist. Allan Adams et al., Appellants
B090675 v.
Div. 3 City of Malibu et al., Respondents
S065232 Petition for review DENIED.

2nd Dist. Metro Land Partners, Appellant
B095915 v.
Div. 5 Quaker City Federal Savings and Loan Association et al.,
S064927 Respondents
Appellant's petition for review DENIED.

2nd Dist. Janet Warren, Respondent
B096771 v.
Div. 3 Lawrence Schecter, Appellant
S065495 Petition for review DENIED.

2nd Dist. People, Respondent
B097593 v.
Div. 3 Anthony D. Richardson et al., Appellants
S064446 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent
B097894 v.
Div. 6 Jorge Hernandez Claudio et al., Appellants
S064444 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent
B099512 v.
Div. 3 Tyrone Eugene Johnson, Appellant
S064330 Appellant's petition for review DENIED.

2nd Dist. Marcelino Garcia, Appellant
B099743 v.
Div. 7 Jose Figueroa et al., Respondents
S065250 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B100102 v.
Div. 4 Victor Manuel Rodriguez, Appellant
S065295 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B101813 v.
Div. 4 Javier Avitia, Appellant
S065240 Appellant's petition for review DENIED.

2nd Dist. Fuchs & Marshall et al., Appellants
B102969 v.
Div. 5 Richard Perrillo et al., Respondents
S065164 Petition for review DENIED.

2nd Dist. Richard Lee, Appellant
B103572 v.
Div. 5 Los Angeles Unified School District, Respondent
S065173 Appellant's petition for review DENIED.

2nd Dist. Robert G. McMaster et al., Appellants
B104447 v.
Div. 5 Franchise Tax Board, Respondent
S065010 Appellants' petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.

2nd Dist. People, Respondent
B104452 v.
Div. 6 Joseph G. Skalla, Appellant
S065305 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B104924 v.
Div. 7 Aaron Wayne Duncan, Appellant
S065263 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B105305 v.
Div. 4 Gerald Anthony Valencia, Appellant
S065337 Appellant's petition for review DENIED.

2nd Dist. B105708 Div. 6 S065013	In re the Marriage of Marjorie Mason and Raymond L. Mason ----- Marjorie Mason, Respondent v. Raymond L. Mason, Appellant Petition for review DENIED.
2nd Dist. B105774 Div. 5 S064269	People, Respondent v. Darryl Buckhana, Appellant Appellant's petition for review DENIED.
2nd Dist. B106095 Div. 2 S065292	People, Respondent v. Raul Carrillo, Appellant Appellant's petition for review DENIED.
2nd Dist. B106725 Div. 5 S065190	People, Respondent v. Derril Peck, Appellant Appellant's petition for review DENIED.
2nd Dist. B107503 Div. 1 S065278	People, Respondent v. Anthony Bailey, Appellant Appellant's petition for review DENIED.
2nd Dist. B107906 Div. 7 S065252	People, Respondent v. Flavio Gurrola Ramos, Appellant Appellant's petition for review DENIED.
2nd Dist. B108513 Div. 2 S065237	People, Respondent v. David Charles Macon, Appellant Appellant's petition for review DENIED.

2nd Dist. People, Appellant
B109203 v.
Div. 5 Robert G. Saldana, Respondent
S064377 Appellant's petition for review DENIED.

2nd Dist. G. Balasubramani, Appellant
B110179 v.
Div. 5 Merrill Lynch Pierce Fenner & Smith, Inc., Respondent
S064974 Appellant's petition for review DENIED.
The request for an order directing publication of the opinion is DENIED.

2nd Dist. Fareed Cassim et al., Petitioners
B111729 v.
Div. 7 Los Angeles County Superior Court, Respondent
S065051 Debbie Birkmeyer, Real Party in Interest
Petition for review DENIED.

2nd Dist. In re David Wayne Crocker
B115122 on
Div. 2 Habeas Corpus
S065277 Petition for review DENIED.

2nd Dist. Ernest Bray, Jr., Petitioner
B115671 v.
Div. 1 Los Angeles County Superior Court, Respondent
S064879 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. Nick J. Estrada, Petitioner
B116008 v.
Div. 1 Los Angeles County Superior Court, Respondent
S065177 People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Sacramento First National Bank, Respondent
C021231 v.
S064992 Enterprise Mechanical Incorporated et al., Appellants
Appellants' petition for review DENIED.

3rd Dist. People, Respondent

C021820 v.
S065182 David Paul Richmond, Appellant
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C023179 v.
S065266 Shawn Hawk, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C023460 v.
S065178 Ruben Eaton, Appellant

Appellant's petition for review DENIED without prejudice to filing a petition for writ of habeas corpus in the sentencing court. (*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530, fn. 13.)

3rd Dist. People, Appellant
C023509 v.
S064713 Frank Wynn Prothero, Respondent
Respondent's petition for review DENIED.

3rd Dist. People, Respondent
C023912 v.
S065258 Harold A. Duran, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C024297 v.
S065212 Raymond Garcia, Appellant

Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C024604 v.
S065213 Willie B. Penilton, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C025197 v.
S065175 Miguel Morfin Alvares, Appellant
Appellant's petition for review DENIED.

4th Dist. Mary L. Noble, Appellant
D021589 v.
Div. 1 Gray Cary Ames & Frye, Respondent
S065300 Appellant's petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

4th Dist. Federal National Mortgage Association, Respondent
D023202 v.
Div. 1 Randolph C. Bugna, Appellant
S064926 James R. Kent, Real Party in Interest
Respondent's petition for review DENIED.
Kennard, J., Baxter, J., and Chin, J., are of the opinion the
petition should be granted.
The requests for an order directing depublication of the opinion
are DENIED.

4th Dist. People, Respondent
D024513 v.
Div. 1 Robert Wayne Wilson, Appellant
S065167 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D025933 v.
Div. 1 Trevor Anthony James, Appellant
S065265 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D026354 v.
Div. 1 Luis Armando Trujillo, Appellant
S064704 Respondent's petition for review DENIED.
Chin, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
D026360 v.
Div. 1 Taelieniu Faatiliga, Appellant
S065254 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D026567 v.
Div. 1 Alejandrino Morales, Appellant
S065168 Appellant's petition for review DENIED.

4th Dist. In re Kenneth Y., a Person Coming Under the Juvenile Court Law
D027152 -----
Div. 1 People, Respondent
S065238 v.
Kenneth Y., Appellant
Petition for review DENIED.

4th Dist. People, Respondent
D027222 v.
Div. 1 Jose Luis Marquez, Appellant
S065207 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D027620 v.
Div. 1 Kenneth Jerome Anderson, Appellant
S065285 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. In re Eric D., a Person Coming Under the Juvenile Court Law
D027642 -----
Div. 1 People, Respondent
S065197 v.
Eric D., Appellant
Petition for review DENIED.

4th Dist. In re Anthony S., a Person Coming Under the Juvenile Court Law
D028291 -----
Div. 1 San Diego Department of Social Services, Respondent
S065352 v.
Rita S., Appellant
Appellant's petition for review DENIED.

4th Dist. Alex Baah, Petitioner
D029602 v.
Div. 1 San Diego County Superior Court, Respondent
S065599 Computer Intelligence Infocorp, Real Party in Interest
Application for stay and petition for review DENIED.

4th Dist. In re Anthony Silean Miller on Habeas Corpus
E016679 -----
E020134 People, Respondent
Div. 2 v.
S064459 Anthony Silean Miller, Appellant
Appellant's petition for review DENIED.

4th Dist. People, Respondent
E017363 v.
Div. 2 David Scott Jones, Appellant
S065288 Appellant's petition for review DENIED.

4th Dist. David John Moore et al., Appellants
E017575 v.
Div. 2 Kaiser Foundation Health Plan Incorporated
S064695 S. Kimberly Belshe, Respondent
Petition for review DENIED.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed August 20, 1997, which appears at 57 Cal.App.4th 178. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

4th Dist. People, Respondent
E017702 v.
Div. 2 Mark Allen Holt, Appellant
S065267 Appellant's petition for review DENIED.

4th Dist. Fredericka Hancock, Appellant
E017708 v.
2nd Dist. County of San Bernardino, Respondent
S064935 Respondent's petition for review DENIED.
 Kennard, J., and Chin, J., are of the opinion the petition should
 be granted.

4th Dist. People, Respondent
E017916 v.
Div. 2 Darren J. Mack, Appellant
S064392 Appellant's petition for review DENIED.
 Kennard, J., and Brown, J., are of the opinion the petition should
 be granted.

4th Dist. People, Respondent
E017973 v.
Div. 2 Francisco Javier Munguia, Appellant
S065148 Appellant's petition for review DENIED.

4th Dist. Charles J. Barer, Appellant
E018126 v.
Div. 2 County of Riverside Tax Collector, Respondent
S065014 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E018183 v.
Div. 2 Joseph M. Davis, Appellant
S065301 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E018207 v.
Div. 2 James Laurence Archibold, Appellant
S065235 Appellant's petition for review DENIED.

4th Dist. Charles Kramer, Appellant
E018292 v.
Div. 2 Thomas Jewell et al., Respondents
S065297 Petition for review DENIED.

4th Dist. People, Respondent
E018397 v.
Div. 2 Robert Arthur Eales, Appellant
S064482 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
E018536 v.
Div. 2 Timothy A. Merfeld, Appellant
S065271 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019082 v.
Div. 2 Dwight Matthews, Appellant
S065276 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019148 v.
Div. 2 Abel Gracian Victor, Appellant
S065239 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019246 v.
Div. 2 Mark Steven Gonzales, Appellant
S065287 Appellant's petition for review DENIED.

4th Dist. Bernice W. Wayman et al., Petitioners
E021326 v.
Div. 2 Riverside County Superior Court, Respondent
S065286 County of San Bernardino, Real Party in Interest
Petition for review DENIED.

4th Dist. People, Respondent
G019145 v.
Div. 3 Mario Luiz Ortiz, Appellant
S064801 Appellant's petition for review DENIED.

4th Dist. People, Respondent
G019510 v.
Div. 3 Gregg Laurence Chernik, Appellant
S065215 Appellant's petition for review DENIED.

5th Dist. People, Respondent
F024539 v.
S064465 Daniel Martines, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025108 v.
S064610 Shirley Ann Franklin et al., Appellants
Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

5th Dist. In re Howell Petrey Harris
F029074 on
S065216 Habeas Corpus
Petition for review DENIED.

5th Dist. In re Rajinder S. Jhanjar
F029225 on
S065261 Habeas Corpus
Petition for review DENIED.

5th Dist. C. W. Brower, Inc., Petitioner
F029243 v.
S065048 Department of Alcoholic Beverage Control, Respondent
Petition for review DENIED.

6th Dist. People, Respondent
H014087 v.
S064389 Kevin Bullock, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015050 v.
S064728 Gregory Wayne Antonio, Appellant
Appellant's petition for review DENIED.

6th Dist. H015493 S065152	People, Respondent v. David Paez Banderas, Appellant Appellant's petition for review DENIED.
6th Dist. H015582 S065154	In re Patrick A., a Person Coming Under the Juvenile Court Law ----- Santa Clara Dept. of Family and Children's Services, Respondent v. Patricia A., Appellant Petition for review DENIED.
6th Dist. H015605 S065210	People, Respondent v. Kyle Allen Ramer, Appellant Appellant's petition for review DENIED.
6th Dist. H015633 S065225	People, Respondent v. Alvin Ortiz-Mendoza, Appellant Appellant's petition for review DENIED.
6th Dist. H016014 S065257	People, Respondent v. Aaron Christopher Stuart, Appellant Appellant's petition for review DENIED.
6th Dist. H016268 S065273	People, Respondent v. Phu Van Vo, Appellant Petition for review DENIED.
6th Dist. H016828 S064495	People, Respondent v. Ngu Hoang Nguyen et al., Appellants Appellants' petitions for review DENIED.

6th Dist. In re Joseph Johnson
H017287 on
S064374 Habeas Corpus
 Petition for review DENIED on the merits.

6th Dist. 3Com Corporation, Petitioner
H017398 v.
S065304 Santa Clara County Superior Court, Respondent
 Norman Hirsch et al., Real Parties in Interest
 Application for stay and petition for review DENIED.

2nd Dist. Provident Life and Accident Insurance Company, Respondent
B098718 v.
Div. 4 Philip B. Marais, Appellant
S063529 The request for an order directing publication of the opinion in
 the above entitled cause is DENIED.

2nd Dist. Donovan Beezer et al., Appellants
B100767 v.
Div. 5 City of Los Angeles et al., Respondents
S063835 The request for an order directing publication of the opinion in
 the above entitled cause is DENIED.

4th Dist. Danny Bell, Appellant
D023067 v.
Div. 1 West Capital Financial Services Corporation, Respondent
S065162 The request for an order directing publication of the opinion in
 the above entitled cause is DENIED.

S014497 People, Respondent
 v.
 Dennis Harold Lawley, Appellant
 On application of respondent and good cause appearing, it is
 ordered that the time to serve and file respondent's brief is extended
 to and including January 23, 1998.

S062533 In re James David Majors
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including January 9, 1998.

S062892 In re Jerry Killedjian
 on
 Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file informal response to the petition for writ of habeas corpus is extended to and including December 26, 1997.

S063512 People, Respondent
 v.
 John David Williams, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 22, 1997.

S006229 People, Respondent
 v.
 Melvin Turner, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant, filed November 3, 1997, is granted.

The order appointing Edward J. Horowitz as counsel of record for appellant Melvin Turner, filed January 17, 1990, is hereby vacated.

Kenneth M. Miller and James L. Waltz are hereby appointed as attorneys of record for appellant Melvin Turner, the former as lead counsel and the latter as associate counsel. Counsel are appointed for purposes of all appropriate post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S013187 People, Respondent

v.

Randy Steven Kraft, Appellant

Appellant's "Request for Appointment of Counsel to Appeal the Conviction for Count V, the Murder of Mark Hall," filed November 13, 1997, is denied.

S029384 People, Respondent

v.

Dannie Hillhouse, Appellant

Upon request of appellant for appointment of counsel, Andrew Parnes is hereby appointed as lead counsel, and E. Evans Young is appointed as associate counsel, to represent appellant on his automatic appeal now pending in this court, including any related habeas proceedings.

S064917 People, Respondent

v.

David Winston Gainey, Appellant

Upon request of appellant for appointment of counsel, Monica Lynch is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S065964 Howard Marcus, Petitioner

v.

Alameda County Superior Court, Respondent

Department of Corrections et al., Real Parties in Interest

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

2nd Dist.
B100876

People
v.
Carlos Tolentino

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division Five.

2nd Dist.
B105359

People
v.
Dwight Eric W.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Two.

2nd Dist.
B112681

Vernell McDaniel
v.
City of Compton

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Four.

2nd Dist.
B113306

John Rowe
v.
Loma Linda University Medical Center et al.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, Division Seven is transferred to the Court of Appeal, Fourth Appellate District, Division Two.

2nd Dist.
B114143

County of Los Angeles
v.
Nereida V.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Seven.

2nd Dist. County of Los Angeles

B114939 v.

Joaquin R.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Three.

2nd Dist. John E. Freeman

B115358 v.

Anthony Sharkey

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Three.

